



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG, PENNSYLVANIA 17120

June 4, 2003

Dockets Management System
US Department of Transportation
Room PL 401
400 Seventh St., SW
Washington, DC 20590-0001

RE: Docket No. RSPA-03-14982 (HM-232C)

Dear Sir or Madam:

The Commonwealth of Pennsylvania's Department of Transportation has recently reviewed the Interim Final Rule issued as docket number RSPA-03-14982 (HM-232C). The following are our comments on the implementation of this rulemaking as a component of the USA PATRIOT Act.

Part III & IV - Reference is made to a list of CDC select agents now requiring a HAZMAT endorsement. In part III, the text reads like anyone transporting any of the items on the CDC listing of infectious substances select agents will require a HAZMAT endorsement. In part IV, the wording indicates that "an operator of a commercial motor vehicle that transports materials on the CDC select agent list" must have a HAZMAT endorsement. Does this ruling mean that any item on the CDC select agent list will require placarding of the transport vehicle? If not, it appears that read this rule states that if these materials are transported in what would otherwise be a Commercial Motor Vehicle (CMV), a HAZMAT endorsement is required; however if the same materials are transported in what would otherwise be a non-CMV, no HAZMAT is required. It is our recommendation that these materials should be placarded.

Thank you for the opportunity to offer comment.

Sincerely,

A handwritten signature in cursive script that reads "Betty L. Serian".

Betty Serian, Deputy Secretary
Safety Administration